

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

EUGENE GENCHEV,

CASE NO: 08-CV-1021 W (NLS)

Plaintiff,

**ORDER DENYING JOINT
MOTION FOR CASE
REASSIGNMENT [DOC. NO. 8]**

v.

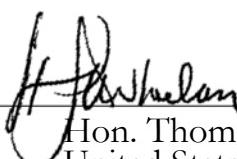
DETROIT DIESEL
CORPORATION,

Defendant.

Pending before the Court is the parties' joint motion for case reassignment to the Honorable Janis L. Sammartino. The basis for the motion is because this case is related to Genchev v. Freightliner, 05cv2071, which Judge Sammartino presided over. However, reassignment on the basis of a related case is limited to pending cases. See L.Civ.Rule 40.1 Because Case No. 05cv2071 was dismissed on April 11, 2008, the Court must **DENY** the motion (Doc. No. 8).

IT IS SO ORDERED.

DATED: June 23, 2008



Hon. Thomas J. Whelan
United States District Judge

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